

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
DEC 20 2017
SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Jason L. Behn

Case Number: 0980 2:11CR00186-LRS-1

Address of Offender:

Spokane Valley, Washington 99037

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: November 13, 2013

Original Offense:	Possession of a Firearm by a User or Addict of a Controlled Substance, 18 U.S.C. § 922(g)(3)
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Original Sentence: Prison - 55 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Scott Travis Jones

Date Supervision Commenced: April 8, 2016

Defense Attorney: Chris Bugbee

Date Supervision Expires: April 7, 2019

PETITIONING THE COURT

To issue a WARRANT

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number	Nature of Noncompliance
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1

Special Condition # 16: You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On April 11, 2016, Jason Behn signed his judgment for case number 2:11CR00186-LRS-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Behn was made aware by his U.S. probation officer that he may not use illegal controlled substances.

Jason Behn consumed marijuana and cocaine on or about November 16, December 4, and December 11, 2017, in violation of his special condition number 16.

On December 11, 2017, the undersigned officer received lab results from a drug test taken by the offender at his chemical dependency treatment facility. The sample was taken on November 16, 2017, and was sent to Millennium Health for testing. On November 21, 2017, the sample returned as positive for marijuana metabolite, cocaine metabolite, and alcohol. The undersigned officer spoke with Mr. Behn regarding the positive results on December 14, 2017. Mr. Behn admitted to consuming the substances.

Mr. Behn was directed to report for a urinalysis test at the vendor site on December 4, 2017. He provided a urine sample that tested positive for both marijuana and cocaine. Mr. Behn denied use and the sample was sent to the laboratory for confirmation. On December 11, 2017, the sample was returned from the laboratory as positive for marijuana and cocaine metabolite.

Mr. Behn was directed to report for a urinalysis test at the vendor site on December 11, 2017. He provided a urine sample that tested positive for both marijuana and cocaine. Mr. Behn denied use and the sample was sent to the laboratory for confirmation. On December 19, 2017, the sample was returned from the laboratory as positive for marijuana and cocaine metabolite.

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Special Condition # 17: You shall abstain from the use of alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: On April 11, 2016, Jason Behn signed his judgment for case number 2:11CR00186-LRS-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Behn was made aware by his U.S. probation officer that he must not consume alcohol.

On December 11, 2017, the undersigned officer received lab results from a drug test taken by the offender at his chemical dependency treatment facility. The sample was taken on November 16, 2017, and was sent to Millennium Health for testing. On November 21, 2017, the sample was returned as positive for marijuana metabolite, cocaine metabolite, and alcohol. The undersigned officer spoke with Mr. Behn regarding the positive results on December 14, 2017. Mr. Behn admitted to consuming the substances.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/20/2017

s/Patrick J. Dennis

Patrick J. Dennis
U.S. Probation Officer

Re: Behn, Jason L

December 20, 2017

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

12/20/17

Date